

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

LEONARDO TAMAYO-LOPEZ,)

Defendant.)

4:08CR3130

MEMORANDUM AND ORDER

THIS MATTER comes before the court on defendant's oral motion to continue his trial currently scheduled to begin on December 1, 2008. The defendant needs additional time to conduct discovery, and requests an additional ninety days or so to allow the parties to resolve the case by plea or prepare for trial. The government does not oppose the defendant's motion to continue. The Court, being fully advised in the premises, finds that said motion should be granted.

IT IS THEREFORE ORDERED that the continuance motion is granted and the defendant's trial is set to commence at 9:00 a.m. on March 16, 2009 for a duration of four trial days before the Honorable Richard G. Kopf. Jury selection will be at the commencement of trial.

This Court further finds that, based upon the defendant's showing, the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and March 16, 2009 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(8)(a).

DATED this 24th day of November, 2008.

BY THE COURT:

s/Richard G. Kopf

United States District Judge